

MESSAGE NO: 4323112 MESSAGE DATE: 11/19/1993

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: OTH-Other PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 3232113
MESSAGE #
(s):

CASE #(s): A-427-808, A-428-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/04/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CLARIFICATION OF PREVIOUS EMAIL ON CORROSION-RESISTANT STEEL FROM FRANCE AND GERMANY. LIQUIDATION INSTRUCTIONS FOR CLAD PLATE PRODUCTS ONLY****READ MESSAGE BELOW**

MESSAGE NO: 4323112

DATE: 11 19 1993

CATEGORY: ADA

TYPE: OTH

REFERENCE: 3232113

REFERENCE DATE: 08 20 1993

CASES: A - 427 - 808

A - 428 - 815

- - - -
- - - -

PERIOD COVERED: 02 04 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: CLARIFICATION OF PREVIOUS EMAIL ON CORROSION-RESISTANT STEEL FROM FRANCE AND GERMANY. LIQUIDATION INSTRUCTIONS FOR CLAD PLATE PRODUCTS ONLY****READ MESSAGE BELOW**

1. THIS IS A CLARIFICATION OF MESSAGE #3232113, DATED 8/20/93. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON AUGUST 19, 1993, NOTICE OF ITS ANTIDUMPING DUTY ORDER OF CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS FROM FRANCE (A-427-808) AND GERMANY (A-428-815).

2. THE CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS COVERED BY THE ANTIDUMPING DUTY ORDER INCLUDE FLAT-ROLLED CARBON

STEEL PRODUCTS, OF RECTANGULAR SHAPE, EITHER CLAD, PLATED OR COATED WITH CORROSION-RESISTANT METALS SUCH AS ZINC, ALUMINUM, OR ZINC-,ALUMINUM-, NICKEL- OR IRON-BASED ALLOYS, WHETHER OR NOT CORRUGATED OR PAINTED, VARNISHED OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES, IN ADDITION TO THE METALLIC COATING, IN COILS, (WHETHER OR NOT IN SUCCESSIVELY SUPERIMPOSED LAYERS) AND OF A WIDTH OF 0.5 INCH OR GREATER, OR IN STRAIGHT LENGTHS WHICH, IF OF A THICKNESS LESS THAN 4.75 MILLIMETERS ARE OF A WIDTH OF 0.5 INCH OR GREATER AND WHICH MEASURES AT LEAST 10 TIMES THE THICKNESS OR IF OF A THICKNESS OF 4.75 MILLIMETERS OR MORE ARE OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS, AS CURRENTLY CLASSIFIABLE IN THE HTS UNDER ITEM NUMBERS

7210.31.0000, 7210.39.0000, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.60.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.1000, 7210.90.6000, 7210.90.9000, 7212.21.0000, 7212.29.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7215.90.1000, 7215.90.5000, 7217.12.1000, 7217.13.1000, 7217.19.1000, 7217.19.5000, 7217.22.5000, 7217.23.5000, 7217.29.1000, 7217.29.5000, 7217.32.5000, 7217.33.5000, 7217.39.1000, AND 7217.39.5000.

INCLUDED IN THESE INVESTIGATIONS ARE FLAT-ROLLED PRODUCTS OF NONRECTANGULAR CROSS-SECTION WHERE SUCH CROSS-SECTION IS ACHIEVED

SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN "WORKED AFTER ROLLING") -- FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELLED OR ROUNDED AT THE EDGES.

EXCLUDED FROM THESE INVESTIGATIONS ARE FLAT-ROLLED STEEL PRODUCTS EITHER PLATED OR COATED WITH TIN, LEAD, CHROMIUM, CHROMIUM OXIDES, BOTH TIN AND LEAD ("TERNE PLATE"), OR BOTH CHROMIUM AND CHROMIUM OXIDES ("TIN-FREE STEEL"), WHETHER OR NOT PAINTED, VARNISHED OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES

IN ADDITION TO THE METALLIC COATING. ALSO EXCLUDED FROM THESE INVESTIGATIONS ARE CLAD PRODUCTS IN STRAIGHT LENGTHS OF 0.1875

INCH OR MORE IN COMPOSITE THICKNESS AND OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS. ALSO EXCLUDED FROM THESE INVESTIGATIONS ARE CERTAIN CLAD STAINLESS FLAT-ROLLED PRODUCTS, WHICH ARE THREE LAYERED CORROSION-RESISTANT

CARBON STEEL FLAT-ROLLED PRODUCTS LESS THAN 4.75 MILLIMETERS IN COMPOSITE THICKNESS THAT CONSIST OF A CARBON STEEL FLAT-ROLLED PRODUCT CLAD ON BOTH SIDES WITH STAINLESS STEEL IN A 20%-60%-20% RATIO.

ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THESE PROCEEDINGS IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THESE CASES HAVE BEEN ASSIGNED THE FOLLOWING INVESTIGATIONS NUMBERS:

FRANCE A-427-808 GERMANY A-428-815

4. INTERNATIONAL TRADE COMMISSION (ITC) DETERMINED THAT IMPORTS OF CLAD PLATE PRODUCTS CONSTITUTED A SEPARATE LIKE PRODUCT FROM OTHER CORROSION-RESISTANT STEEL PRODUCTS. IT DEFINED CLAD PLATE AS CARBON STEEL PLATE THAT HAS BEEN COVERED WITH A METALLIC COATING (SUCH AS NICKEL, COPPER, STAINLESS STEEL, OR TITANIUM) ON ONE OR BOTH SIDES BY A PROCESS THAT FORMS A PHYSICAL BOND BETWEEN THE CLADDING MATERIAL AND THE CARBON STEEL SUBSTRATE.

THE ITC ALSO FOUND THAT IMPORTS OF CLAD PLATE PRODUCTS FROM FRANCE AND GERMANY NEITHER MATERIALLY INJURED NOR THREATENED MATERIAL INJURY TO THE U.S. INDUSTRY PRODUCING CLAD PLATE PRODUCTS.

AS A RESULT OF THE ITC'S NEGATIVE MATERIAL INJURY DETERMINATION, THE CUSTOMS SERVICE WILL DISCONTINUE THE SUSPENSION OF LIQUIDATION FOR ENTRIES OF CLAD PLATE AND WILL REFUND ALL CASH DEPOSITS AND RELEASE ALL BONDS COLLECTED ON CLAD PLATE CORROSION-RESISTANT STEEL PRODUCTS.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE IS SUBJECT TO THE PROVISION OF SECTION 778 OF THE TARIFF ACT OF 1930, WHICH REQUIRE INTEREST TO BE CALCULATED ON THE DIFFERENCE BETWEEN THE AMOUNTS DEPOSITED AS THE ESTIMATED ANTIDUMPING DUTIES AND THE FINAL DUTIES ASSESSED. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE OF THE INTEREST IS THE ONE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE AD/CVD BRANCH VIA E-MAIL ATTRIBUTE "HQ OAB". OTHER INTERESTED PARTIES SHOULD CONTACT EDWARD EASTON (FRANCE) OR MIKE READY (GERMANY), OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-1777 AND 482-2613, RESPECTIVELY .

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party